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eXp Realty, LLC*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

LESLIE HENDERSON,

Plaintiff,

vs.

EXP REALTY, LLC,

Defendant.

Case No. 3:21-cv-00275-MMD-WGC

**STIPULATION AND ORDER TO:**

**(1) DISMISS PLAINTIFF'S SECOND  
CAUSE OF ACTION FOR  
RETALIATION; AND**

**(2) ALLOW PLAINTIFF TO FILE A  
FIRST AMENDED COMPLAINT**

IT IS HEREBY STIPULATED by and between Plaintiff Leslie Henderson ("Plaintiff"), through her counsel the Law Office of Mark Mausert, and Defendant eXp Realty, LLC ("Defendant"), through its counsel Jackson Lewis P.C., as follows:

1. Plaintiff's Complaint was filed in this Court on June 18, 2021. ECF No. 1. The parties, with the Court's permission, stipulated on three occasions to extend the time for Defendant to file its response to Plaintiff's Complaint. ECF Nos. 7, 9 and 11. Currently, Defendant's response is due on August 31, 2021. ECF No. 11.

2. Following discussions between counsel for the parties, Plaintiff has agreed with dismiss her second cause of action for Retaliation, without prejudice, pursuant to FRCP 41(a).

3. To further effectuate the intent of the dismissal, the parties agree that Plaintiff shall be permitted, pursuant to FRCP 15(a)(2), to file a First Amended Complaint that is identical to the Complaint, but which does not include the Retaliation claim or its associated allegations.

4. The parties agree that the First Amended Complaint shall be filed by September 2, 2021, and Defendant's response to the First Amended Complaint shall be filed not later than 14 days thereafter.

5. The parties further agree that the August 30, 2021 deadline for Defendant to respond to Plaintiff's Complaint shall be vacated in contemplation of the filing of the First Amended Complaint.

6. This Stipulation is made in good faith and not for the purpose of delay.

Dated this 31<sup>st</sup> day of August, 2021.

LAW OFFICE OF MARK MAUSER

/s/ Mark Mausert

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/s/ Joshua A. Sliker

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**ORDER**

IT IS SO ORDERED:



United States District Court Judge

Dated: August 31, 2021